

BLUFFTON TOWN COUNCIL MEETING MINUTES
DECEMBER 15, 2009

Mayor Sulka called the meeting to order at 6:00 p.m. Council members present were Brown, Hamilton, Mitchell and Wetmore. Town Manager Barrett, Assistant Town Managers Freeman, Fletcher and Orlando, and Town Attorney Finger were also in attendance.

Pledge to the Flag and invocation was given.

Adoption of the Agenda:

Wetmore moved to adopt the agenda as presented. Mitchell seconded. The motion carried unanimously.

Adoption of Minutes:

Wetmore moved to adopt the minutes of November 10, 2009 as presented. Mitchell seconded. The motion carried unanimously.

Public Comments:

Brandon Waring, 860 May River Road, encouraged Council to pass the Stormwater Ordinance amendment.

Jimmy McIntire, 90 Big Bluff Road, requested Council to continue their work on the stormwater issues. The Stormwater Ordinance is paramount for decisions made in the future. He was encouraged that Beaufort County accepted the Intergovernmental Agreement for stormwater initiatives with the Town of Bluffton. He also stated that Town Council reconsider future annexations.

Andrea Malloy, Coastal Conversation League, stated that she was encouraged by seeing changes on the stormwater issues. Community design and impervious surfaces are very important. She thanked Council for their efforts.

Garrett Budds, Coastal Conservation League, stated growth protection was needed for the natural resources and headwaters. He requested Council place a moratorium on future developments until all land use, river protection and water quality issues could be resolved.

Laura Floyd, 2 Crystal Beach, stated actions of the stormwater issues needed to be taken based on science. Dr. Holland stated the Town had three years to turn the stormwater problems around before further damage to rivers and natural resources. She stated the Town should place a moratorium on future developments.

Communications from Mayor and Council:

- a. Mayor Sulka thanked Malone, Bulger, Lunceford and participating Staff for the success of the Christmas parade. She also stated the Old Town Merchants Society did a good job on their coupons on the day of the parade. She wished everyone a Merry Christmas.
- b. Wetmore, as the Bluffton Fire District Commissioner, stated the parcel adjacent to the Hwy. 278 Fire Station will be purchase for the purpose of a facilities maintenance building. There are plans for another fire station that will be located on the Hampton Parkway/Bluffton Parkway.
- c. Mitchell wished everyone Happy Holidays. She stated that Old Town businesses, especially the Heyward House needed everyone's support.
- d. Hamilton was in agreement with previous statements.
- e. Brown encouraged everyone to participate in the 2010 Census. It will benefit all residents.

Presentations and Recognitions:

- a. Recognition of Finance for the Certificate of Achievement for Excellence in Financing Reporting – Mayor Sulka read and presented Freeman with the plaque and stated the Town appreciated her department for all of their endeavors toward good financial reporting. Freeman thanked her Staff.
- b. WEB Site Updates "Grants in Action" – Freeman presented the site of ongoing Town of Bluffton's grants. She stated it brings transparency to the public. She also thanked Lori McLain, Trisha Greathouse, Kathy Glover, Danny Wilson, Andre White, Sherry Duke, Mary Michael Hanbury and Laura Budak for their assistance.
- c. GIS Map Book – Carl Norris gave an overview of what the 157 pages of the street and addresses Map Book entailed. The book can be used for emergency preparedness, field work, police department, utilities companies, and businesses, such as real estate. The book can be purchase for a fee, which includes a subscription service for replacement pages every six months.
- d. Recognition of Councilman Wetmore – Mayor Sulka read and presented Wetmore with a proclamation in appreciation for all of his dedicated service to the Town.

Staff Reports:

- a. Police – Chief McAllister was available for questions and comments.
- b. Finance/Administration – Freeman gave an overview for period ending November 30, 2009 of the General Fund, Capital Improvements Program, grants update and business license update.
- c. Engineering – Fletcher gave an overview of the Facilities/Asset Management activities, Engineering update, Capital Improvements Program update. Council requested Staff investigate the traffic hazards related to parking on May River Road between Wharf and Heyward Streets and having sandwich signs on sidewalks. He gave an overview of the Verdier Cove Drainage Basin action items. He also introduced recently hired New Construction Manager Jeff Wiggins
- d. Growth Management – Orlando gave an overview of the Wayfinding Design RFP, Zoning and Development Standards Overhaul, Planning Services RFP, May River Action Plan, May River Management Plan Implementation Committee and Technical Advisory Committee (Council requested to be included on the meeting calendar), Community Development's land acquisition and demolition, Census update and stated that the Census estimate is now listed at 12,333 due to the appeal. He also introduced newly hired Planning Coordinator Kim Smeltzer and Combination Building Inspector David Fontenot.

Complete Count Committee Presentation:

Paul Shepherd, Census Bureau Complete Count Committee Partnership Specialist, stated participation in the Census count is very important to the community because distribution of funds from Federal Government depends on population. All information is secure. He recommended the Town forming a committee. Council was in consensus.

Update on Beaufort County Stormwater Management Standards:

Tony Maglione, Vice President of Applied Technology & Management, Inc., stated stormwater volume quality is as important as quantity. He discussed preservation of estuaries; preservation of shellfish harvesting areas; preventing further damage; applications of volume control; and the process of implementations. He also discussed Beaufort County ZDSO's changes and actions taken.

FY 2009 Audit:

Tom Dewitt, Robinson Grant & CO., P.A., stated the FY 2009 Audit will be finalized in January. He stated there were no accounting disagreements, no unadjusted accounts, and no internal control issues.

SC Highway 170 Proposed Annexation:

Orlando stated the proposed annexation of 41 acres is located by SC Hwy. 170 to the west, Village at Verdier to the south, US Hwy. 278 to the north, and adjacent properties to the east. Beaufort County Zoning Map illustrates the properties zoned as Regional Commercial. The Applicant is proposing the annexation in order to obtain another 22 acres that is adjacent to Village at Verdier. Council was in consensus to proceed with the annexation proposal.

Town Drainage Maintenance Update:

Fletcher gave an overview of the following: 1) Stormwater maintenance activities (completed and active); 2) Maintenance activities under evaluation; 3) Findings from the September 17th rain event; 4) Recommended actions related to the rain event; and 4) Path forward (ninety day look ahead). Since FY 2008, the Town has expended over \$389,000 in stormwater maintenance and improvement activities. Staff proposes to expend \$50,000 in stormwater utilities fees over the next 90 days. Staff will prioritize and recommend for Town Manager approval stormwater maintenance projects for the remainder of FY 2010 and 2011 budget. Staff will also prepare an enhanced stormwater maintenance program and budget for Council's future consideration.

Amendment to the Town of Bluffton Unified Ordinance, Article 8, Stormwater – First Reading:

McNesby gave an overview the proposed Article 8 amendments as follows:

1) All development and redevelopment, including highways, shall use site planning design, construction and maintenance strategies for the property to maintain or restore, to the maximum extent technically feasible, the pre-development hydrology of the property with regards to temperature, rate, volume, and duration of flow; 2) In areas of Hydrologic Soil Groups "A" and "B", the development shall control and infiltrate the first one (1) inch of stormwater runoff from the entire development or maintain the pre-development hydrology of the property for the Water Quality Design Storm Event, whichever is greater; 3) Irrigation systems must first make use of all available surface runoff or other retained or detained stormwater as the water supply. (Continued on next page)

Amendment to the Town of Bluffton Unified Ordinance, Article 8, Stormwater – First Reading – Continued:

No groundwater wells or use of potable water for irrigation of any kind will be permitted in developments or redevelopments unless it can be demonstrated that alternate sources of irrigation water will not exceed pre-development conditions. In addition, no irrigation systems shall be placed within fifty (50) feet of a natural creek, marsh, estuary where soils and/or grade will allow such irrigation water to flow or migrate to such a natural creek, marsh, or estuary.

Wetmore moved to have first reading on the Amendment to the Town of Bluffton Unified Ordinance, Article 8, Stormwater and to evoke the Pending Doctrine Ordinance until final reading is held. Mitchell seconded. The motion carried unanimously.

Adoption of 2010 Town Council Meeting Schedule:

This agenda was postponed until January.

Buckwalter Commons Phase 1 Initial Master Plan Amendment V:

Rhodes stated the Applicant, University Investments, is seeking to amend the existing Buckwalter Commons Phase 1 Initial Master Plan within the Buckwalter PUD. The proposed amendment is the addition of one (1) parcel of land, Parcel 11, to the existing master plan. The total area of the subject property is approximately 21.1 acres, which is designated as a commercial land use under the Buckwalter PUD Concept Plan. The Applicant intends to keep the commercial land use designation for the subject property. **Wetmore moved to approve the Buckwalter Commons Phase 1 Initial Master Plan Amendment V as presented. Mitchell seconded. The motion carried unanimously.**

Town of Bluffton/Beaufort County Environmental Initiatives Intergovernmental Agreement:

Orlando stated with the Town and Beaufort County entering into the Agreement will allow each governmental agency to demonstrate their commitment to implementation of these environmental initiatives. The following initiatives were agreed upon: 1) Establish a coordinated and responsive May River Watershed Action Plan; 2) Establish other proactive and responsive Watershed Action Plan as needed which include coordinated actions for protecting the Okatie River and implementing reductions required by the soon to be issued TMDL for Okatie; 3) Implement the SCDHEC Section 319 Grant for Nonpoint Source Pollution Control Projects; (Continued on next page)

Town of Bluffton/Beaufort County Environmental Initiatives Intergovernmental Agreement – Continued:

4) Implement coordinated requirements for controlling stormwater volume from new, approved, and built development; 5) Coordinate land management activities and regulations to reduce a actual and effective impervious surface in our watersheds; 6) Support the joint county and municipality Stormwater Implementation Committee; and 7) Systematically and regularly share information in a timely matter and conclusive manner. **Wetmore move to accept the Intergovernmental Agreement and authorize the Town Manager to enter into the Agreement. Mitchell seconded. The motion carried unanimously.**

Public Comments:

John Mack, Edgefield Subdivision, stated his concerns on the possible closing of the median in front of Edgefield for the proposed gas station. There will be traffic problem due to the median being closed. He requested Council to consider this issue during the planning stages.

Sharon Burris, Beaufort County Auditor, formally apologized to Council, Staff and the residents of the Town of Bluffton for not recording the correct millage for the tax bills. The millage rate was reduced from 40 to 38 mills.

Town Manager's Report:

Barrett stated that more than \$700 million has been expended on public projects in the Town of Bluffton. These include schools, parks, streets construction, and water and sewer projects. These projects have a direct benefit to the overall economy of the Town and region.

Executive Session:

- a. Buck Island/Simmons ville Sewer Projects Easements
- b. Discuss Propriety Information regarding Economic Development Proposal for the Town of Bluffton
- c. Contractual Matters

Wetmore moved for Council to go into executive session to discuss the above mentioned items. Mitchell seconded. The motion carried unanimously. Council entered into executive session at 8:55 p.m.

Action from Executive Session:

Mayor Sulka called the meeting back to order at 9:24 p.m. and announced no vote were taken.

Hamilton move to accept the resolution to establish just compensation for the CDBG Buck Island/Simmons ville sewer project and authorize the Town Manager or Town Attorney or their designee to proceed with the acquisition of easements in conformance with the law and regulations. Wetmore seconded. The motion carried unanimously.

Mitchell moved for Council or designee to sign an MOU regarding an economic development proposal that would require the developer to provide certain documents. Wetmore seconded. Vote was four in favor. Hamilton opposed.

Brown moved to approve the Third Amendment to the Palmetto Bluff Development Agreement and the Third Amendment to the New Riverside Concept Plan as has been presented by Staff and Town Attorney and authorize the Town Manager to execute same. Mitchell seconded. The motion carried unanimously.

Meeting adjourned at 9:26 p.m.

Mayor

Town Clerk